

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

MAURICE HAWKINS,

Plaintiff,

v.

Civil Action No. 3:24cv347

GRTC OF RICHMOND, VIRGINIA,

Defendant.

MEMORANDUM OPINION

Plaintiff, a Virginia inmate, has submitted this action and requested leave to proceed *in forma pauperis*. The pertinent statute provides:


In no event shall a prisoner bring a civil action [*in forma pauperis*] if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

28 U.S.C. § 1915(g). Plaintiff has at least three other actions or appeals that have been dismissed as frivolous, malicious, or for failure to state a claim. *See Hawkins v. Marshall*, No. 3:23CV656, 2023 WL 7116846, at *1 (E.D. Va. Oct. 27, 2023) (citing *Hawkins v. Hale*, No. 7:05-CV-00217 (W.D. Va. Apr. 13, 2005); *Hawkins v. Cantrell*, No. 7:04-CV-00377 (W.D. Va. July 15, 2004); *Hawkins v. Johnson*, No. 7:04-CV-00360 (W.D. Va. July 12, 2004)). Plaintiff's current complaint does not suggest that he is in imminent danger of serious physical harm. Accordingly, his request to proceed *in forma pauperis* will be DENIED. The action will be DISMISSED WITHOUT PREJUDICE.

Plaintiff remains free to submit a new complaint with the full \$405.00 filing fee. The Court will process such a complaint as a new civil action.

An appropriate Order shall accompany this Memorandum Opinion.

Date: 6/4/2024
Richmond, Virginia

/s/ 
M. Hannah Lauck
United States District Judge